A/61/35

United Nations

Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

General Assembly
Official Records
Sixty-first Session
Supplement No. 35 (A/61/35)

General Assembly
Official Records
Sixty-first Session
Supplement No. 35 (A/61/35)

Report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People

United Nations • New York, 2006

Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

ISSN 0255-2035

Contents

Chapter		Paragraphs	Page
	Letter of transmittal		iv
I	Introduction	1–11	1
II	Mandate of the Committee	12	4
III	Organization of work	13–18	5
	A. Membership and officers	13–16	5
	B. Participation in the work of the Committee	17–18	5
IV	Review of the situation relating to the question of Palestine	19–36	6
V	Action taken by the Committee	37–63	13
	A. Action taken in accordance with General Assembly resolution 60/36	37–48	13
	1. Action taken in the Security Council	38–45	13
	2. Statements by the Committee	46–47	14
	3. Participation by the Chairman of the Committee in international conferences and meetings	48	14
	B. Action taken by the Committee and the Division for Palestinian Rights in accordance with General Assembly resolutions 60/36 and 60/37	49–63	14
	1. Programme of international meetings and conferences	49–52	14
	2. Cooperation with intergovernmental organizations	53–54	15
	3. Cooperation with civil society	55–58	15
	4. Research, monitoring and publications	59	16
	5. United Nations Information System on the Question of Palestine	60	17
	6. Training programme for staff of the Palestinian Authority	61	17
	7. International Day of Solidarity with the Palestinian People	62–63	17
VI	Action taken by the Department of Public Information in accordance with General Assembly resolution 60/38	64–77	18
VII	Conclusions and recommendations of the Committee	78–85	20

Letter of transmittal

4 October 2006

Mr. Secretary-General,

I have the honour to enclose herewith the report of the Committee on the Exercise of the Inalienable Rights of the Palestinian People for submission to the General Assembly in accordance with paragraph 7 of its resolution 60/36 of 1 December 2005.

The report covers the period from 6 October 2005 to 4 October 2006.

Accept, Sir, the assurances of my highest consideration.

(*Signed*) Paul **Badji**
Chairman of the Committee on the Exercise of the
Inalienable Rights of the Palestinian People

His Excellency
Mr. Kofi Annan
Secretary-General of the United Nations
New York

Chapter I
Introduction

1. The Committee on the Exercise of the Inalienable Rights of the Palestinian People was established by the General Assembly by resolution 3376 (XXX) of 10 November 1975, with the task of recommending a programme designed to enable the Palestinian people to exercise its inalienable rights, as recognized by the Assembly in resolution 3236 (XXIX) of 22 November 1974.

2. The recommendations made by the Committee in its first report to the General Assembly[1] were endorsed by the Assembly as a basis for the solution of the question of Palestine. In its subsequent reports,[2] the Committee has continued to stress that a comprehensive, just and lasting solution to the question of Palestine, the core of the Arab-Israeli conflict, must be based on the relevant United Nations resolutions and the following essential principles: the withdrawal of Israel from the Palestinian territory occupied since 1967, including East Jerusalem, and from the other occupied Arab territories; respect for the right of all States in the region to live in peace within secure and internationally recognized boundaries; and the recognition and exercise of the inalienable rights of the Palestinian people, primarily the right to self-determination. The recommendations of the Committee contained in its first report could not be implemented, and the Assembly each year renewed the Committee's mandate and requested it to intensify efforts in pursuit of its objectives.

3. Since 1991, the Committee has consistently supported the peace process. It welcomed the 1991 Madrid Peace Conference that launched the Middle East peace process based on Security Council resolutions 242 (1967) and 338 (1973). It also welcomed the Declaration of Principles on Interim Self-Government Arrangements (A/48/486-S/26560, annex) and subsequent implementation agreements. The Committee has strongly supported the vision of two States, Israel and Palestine, living side by side within secure and recognized borders on the basis of the 1949 armistice lines, in accordance with relevant United Nations resolutions, including Security Council resolutions 1397 (2002) and 1515 (2003). The Committee

---

[1] *Official Records of the General Assembly, Thirty-first Session, Supplement No. 35* (A/31/35).

[2] Ibid., *Thirty-second Session, Supplement No. 35* (A/32/35); ibid., *Thirty-third Session, Supplement No. 35* and corrigendum (A/33/35 and Corr.1); ibid., *Thirty-fourth Session, Supplement No. 35* and corrigendum (A/34/35 and Corr.1); ibid., *Thirty-fifth Session, Supplement No. 35* (A/35/35); ibid., *Thirty-sixth Session, Supplement No. 35* (A/36/35); ibid., *Thirty-seventh Session, Supplement No. 35* and corrigendum (A/37/35 and Corr.1); ibid., *Thirty-eighth Session, Supplement No. 35* (A/38/35); ibid., *Thirty-ninth Session, Supplement No. 35* (A/39/35); ibid., *Fortieth Session, Supplement No. 35* (A/40/35); ibid., *Forty-first Session, Supplement No. 35* (A/41/35); ibid., *Forty-second Session, Supplement No. 35* (A/42/35); ibid., *Forty-third Session, Supplement No. 35* (A/43/35); ibid., *Forty-fourth Session, Supplement No. 35* (A/44/35); ibid., *Forty-fifth Session, Supplement No. 35* (A/45/35); ibid., *Forty-sixth Session, Supplement No. 35* (A/46/35); ibid., *Forty-seventh Session, Supplement No. 35* (A/47/35); ibid., *Forty-eighth Session, Supplement No. 35* (A/48/35); ibid., *Forty-ninth Session, Supplement No. 35* (A/49/35); ibid., *Fiftieth Session, Supplement No. 35* (A/50/35); ibid., *Fifty-first Session, Supplement No. 35* (A/51/35); ibid., *Fifty-second Session, Supplement No. 35* (A/52/35); ibid., *Fifty-third Session, Supplement No. 35* (A/53/35); ibid., *Fifty-fourth Session, Supplement No. 35* (A/54/35); ibid., *Fifty-fifth Session, Supplement No. 35* (A/55/35); ibid., *Fifty-sixth Session, Supplement No. 35* and corrigendum (A/56/35 and Corr.1); ibid., *Fifty-seventh Session, Supplement No. 35* (A/57/35); ibid., *Fifty-eighth Session, Supplement No. 35* (A/58/35); ibid., *Fifty-ninth Session, Supplement No. 35* (A/59/35); and ibid., *Sixtieth Session, Supplement No. 35* (A/60/35).

welcomed and supported the Quartet's road map and called on the parties to implement it. In keeping with its mandate, the Committee continued to work towards enabling the Palestinian people to realize its inalienable rights, including the right to self-determination and to its own independent State, on all Palestinian territory occupied in 1967, including East Jerusalem. The Committee also promotes support and assistance by the international community to the Palestinian people.

4. The reporting period began with a cautious hope that the removal in September 2005 of Israeli settlements from the Gaza Strip and parts of the northern West Bank and the withdrawal of the Israeli army from the Gaza Strip would create the much-needed momentum for the resumption of the political dialogue between the parties. There was no progress in the political area either immediately after the pull-out or in the course of the months that followed, however. While the overall situation in the Occupied Palestinian Territory, including East Jerusalem, remained serious, the situation in Gaza has deteriorated significantly since June 2006.

5. In the course of the year, the Israeli army has continued to conduct its operations in Palestinian population centres, resorting to extrajudicial assassinations, house demolitions and arrests. Palestinian response included suicide attacks in Israel and regular rocket fire by Palestinian armed groups. During the year, chances for a return to the political process remained elusive.

6. The holding of the elections to the Palestinian Legislative Council (PLC) on 25 January 2006 became a pivotal point in Palestinian political life. The electoral victory of the Islamic Resistance Movement (Hamas) confronted the Palestinian political system, the region and the wider international community with new challenges. In the period following the elections, the newly appointed Palestinian Cabinet and the Presidency have not been able to reach an agreement on a common political programme. While President Mahmoud Abbas fully embraced the platform of peace, the Cabinet remained reluctant to recognize Israel and accept all the previously signed bilateral agreements. This situation has persisted throughout the reviewed period, stymieing progress in the political area and negatively affecting efforts to address the rapidly deteriorating Palestinian humanitarian crisis. On 27 June, the major Palestinian factions reached an agreement to bolster national unity on the basis of the "Prisoners' Document"; however, Israeli military action delayed its taking effect.

7. While most Governments have treated the election results as a Palestinian domestic matter, some were not in a position to recognize and cooperate with the Hamas-led Cabinet. This has considerably undercut the prospects of delivering various forms of assistance to the Palestinian people. The decision by major international donors to cease direct assistance programmes has further exacerbated the humanitarian situation.

8. Israel responded to the electoral results by stepping up efforts at undermining the Palestinian Authority and by consolidating control over East Jerusalem, strategic parts of the West Bank and access to the Gaza Strip. The situation escalated dramatically at the end of June 2006 with major Israeli military incursions in the Gaza Strip following the capture of an Israeli soldier by Palestinian armed groups. Overshadowed by the hostilities in Lebanon that started in early July, Israeli military incursions, air strikes and artillery shelling, arbitrary arrests of Palestinian Authority and PLC officials, demolition of houses and crucial infrastructure continued unabated for months. The continued closure by Israel, the occupying Power, of the

crossing points to the Gaza Strip and in the West Bank constituted collective punishment of an entire innocent civilian population.

9. During the year, the Committee remained deeply concerned about the continuing expansion of Israeli settlements in the West Bank, including East Jerusalem, and the acceleration in the completion of the wall built in the Occupied Palestinian Territory in contravention of the advisory opinion of the International Court of Justice. The Committee cautioned that the Israeli plan to unilaterally draw its own permanent borders, incorporating large parts of the West Bank, including East Jerusalem, posed a grave threat to the prospects of a peaceful, negotiated solution of the question of Palestine. It precludes any possibility of improving the economic and humanitarian situation in the Occupied Palestinian Territory and made a two-State solution virtually impossible. The Committee reminded Israel, the occupying Power, that its settlement activities, the annexation of East Jerusalem, any actions to strengthen its hold on the city and the construction of the wall on occupied land were contrary to international law. The Secretary-General was encouraged to expedite the establishment of a register of damage caused to all natural or legal persons concerned by the construction of the wall. The Committee called upon all Governments to fulfil their obligations under international law, in particular the Fourth Geneva Convention, and to take the necessary steps to ensure that Israel complied with its international obligations.

10. The Committee continued to support the efforts by the Quartet to unblock the stalemate in the political process and resume meaningful negotiations between the parties. It noted that, in the course of the year, the Quartet has met at both the principals and envoys level to address the situation on the ground, restore a credible political process and encourage the parties to move forward towards the implementation of the objectives of the road map. The Quartet's meeting at the principals level in New York on 20 September and a high-level meeting of the Security Council the next day, convened at the initiative of the Council of the League of Arab States, were held with a view to advancing the peace process.

11. The Committee noted the serious efforts by the Palestinian Authority Presidency and the Palestinian leadership to end violence, strengthen the national unity of the Palestinian people and create conditions conducive to reviving the political process and to achieving a solution of the question of Palestine exclusively through peaceful means. It welcomed the signing in June of the National Conciliation Document by the major Palestinian political organizations, and the designation of the Palestinian President as the person in charge of negotiations with Israel, as well as the effort of President Abbas to form a Government of national unity. The Committee called upon the international community to extend all possible cooperation to the Palestinian leadership in its quest for the realization of the inalienable rights of its people.

Chapter II
Mandate of the Committee

12. On 1 December 2005, the General Assembly renewed the mandate of the Committee on the Exercise of the Inalienable Rights of the Palestinian People (see resolution 60/36), requested the Secretary-General to continue to provide the Division for Palestinian Rights of the Secretariat with the necessary resources to carry out its programme of work (see resolution 60/37), and requested the continuation of the special information programme on the question of Palestine of the Department of Public Information of the Secretariat (see resolution 60/38). On the same date, the Assembly adopted resolution 60/39 entitled "Peaceful settlement of the question of Palestine".

Chapter III
Organization of work

A. Membership and officers

13. The Committee is composed of the following Member States: Afghanistan, Belarus, Cuba, Cyprus, Guinea, Guyana, India, Indonesia, the Lao People's Democratic Republic, Madagascar, Malaysia, Mali, Malta, Namibia, Nigeria, Pakistan, Senegal, Sierra Leone, South Africa, Tunisia, Turkey and Ukraine.

14. In a letter dated 5 August 2005, the Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations requested that the Bolivarian Republic of Venezuela be admitted as an observer to the Committee. At its 289th meeting, held on 10 November 2005, the Committee approved that request and welcomed the Bolivarian Republic of Venezuela to take part, as an observer, in the work of the Committee. In a letter, the Chairman informed the President of the General Assembly of the request of the Government of the Bolivarian Republic of Venezuela. The letter from the Chairman and its annex were circulated as a document of the General Assembly (A/60/567).

15. At its 292nd meeting, on 10 February 2005, the Committee re-elected Paul Badji (Senegal) as Chairman, elected Rodrigo Malmierca Diaz (Cuba) as Vice-Chairman, and re-elected Ravan A. G. Farhadi (Afghanistan) as Vice-Chairman and Victor Camilleri (Malta) as Rapporteur.

16. At the same meeting, the Committee adopted its programme of work for 2006.[3]

B. Participation in the work of the Committee

17. As in previous years, the Committee reconfirmed that all United Nations Member States and observers wishing to participate in the work of the Committee as observers were welcome to do so. In accordance with established practice, Palestine participated in the work of the Committee as an observer, attended all of its meetings and made observations and proposals for consideration by the Committee and its Bureau.

18. In 2006, the Committee again welcomed as observers all States and organizations that had participated in its work in the preceding year.[4]

[3] A/AC.183/2006/CRP.1.

[4] The observers at the Committee meetings were as follows: Algeria, Bangladesh, Bulgaria, China, Ecuador, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Mauritania, Morocco, Nicaragua, Niger, Qatar, Sri Lanka, Syrian Arab Republic, United Arab Emirates, Bolivarian Republic of Venezuela, Viet Nam, Yemen, African Union, League of Arab States, Organization of the Islamic Conference and Palestine.

Chapter IV

Review of the situation relating to the question of Palestine

19. Pursuant to its mandate, the Committee continued to monitor the situation in the Occupied Palestinian Territory, including East Jerusalem, as well as relevant political developments. The Palestinian people exercised their right to vote in the PLC elections held on 25 January 2006 throughout the Gaza Strip and the West Bank, including East Jerusalem. Overall, 77 per cent of registered voters cast their votes for a new legislature. Approximately 20,000 national and 1,000 international observers, including missions from the European Union, the National Democratic Institute, the Carter Centre and Canada observed the conduct of the election. The observers concluded that the campaign took place in a relatively calm atmosphere, with an absence of provocative rhetoric, although candidates, campaign and election workers were at times unable to move satisfactorily through Israeli checkpoints during the campaign period. Palestinian Authority President Mahmoud Abbas and the Palestinian people were congratulated by the Secretary-General, the Quartet and other officials within the international community for an election process that was free, fair and secure, and which marked an important milestone in the building of Palestinian democratic institutions. The Central Elections Commission announced the official results with Hamas winning a majority, consisting of 74 seats. Fatah won 45 seats, with the remaining 13 seats going to smaller parties and independents.

20. On 29 March, President Abbas swore in the new Palestinian Government which included Hamas members and independents, with Mr. Ismail Haniyeh as Prime Minister. In a letter to Mr. Haniyeh, President Abbas asked that the new Government programme be aligned with that of the Palestinian Presidency. The Quartet called on the new Government to commit to the principles of non-violence, recognition of Israel's right to exist and acceptance of previous agreements and obligations, including the road map. Since the illness of Israeli Prime Minister Ariel Sharon, Mr. Ehud Olmert on 4 January took over the reins of government as Acting Prime Minister, until his election on 28 March. On 19 February, Acting Prime Minister Olmert had announced that Israel would not hold contacts with a Palestinian Government which included Hamas, not transfer some US$ 55 million a month in taxes and tariffs to it and ban the transfer of equipment to its security services. On 10 April, donors decided to freeze direct aid to the Palestinian Authority until it complied with the three principles outlined by the Quartet. In the run-up to and after the elections, Prime Minister Olmert declared his intention to set unilaterally Israel's borders in the West Bank, that would include major settlement blocks, as well as the Jordan River as a security border. In response, the Quartet called upon both parties to avoid unilateral measures which would prejudice final status issues.

21. Efforts were undertaken to find consensus among various Palestinian parties. Led by President Abbas and with the participation of Prime Minister Haniyeh, a Palestinian national dialogue conference took plac on 25 and 26 May. Representatives of political parties, civil society, the private sector, the Palestinian Authority and the Palestine Liberation Organization participated. A final statement concluded that a Prisoners' Document (see para. 31 below) should serve as a basis for the continuation of the national dialogue. On 27 June, a National Conciliation Document was agreed upon. As of the beginning of October, efforts by President

Abbas to form a national unity Government that would reflect the principles put forward by the Quartet, remained inconclusive.

22. Internal Palestinian difficulties, the withholding of hundreds of millions of dollars of Palestinian tax money by Israel, coupled with its continuing military operation in the Occupied Territory, led to a serious political and financial crisis and total paralysis of efforts to restart the dialogue between the parties.

23. During the period under review, the Committee closely monitored the situation on the ground and was greatly alarmed by the intense escalation of violence in the Occupied Palestinian Territory. Casualties continued to increase, mostly among Palestinians, as a result of the disproportionate use of force by the occupying Power, but also among Israeli civilians in Israel as a result of suicide bombings. During the month of June, Israel stepped up its policy of targeted killings of militants and shelling of the Gaza Strip. On 9 June, an explosion on a beach in the Gaza Strip killed seven civilians, all members of the same family. The Secretary-General called for a full investigation, while Human Rights Watch concluded that Israeli artillery fire was to blame. The Committee has repeatedly condemned the policy and practice of extrajudicial killings as being inadmissible under international law. At the same time, it has strongly condemned all attacks against Israeli civilians in Israel, which could not be justified and undermined any prospect of reconciliation between the parties. Suicide bombings occurred at the market of Hadera in Israel on 26 October 2005, in Netanya on 5 December, outside the settlement of "Kedumim" in the northern West Bank on 30 March and in central Tel Aviv on 17 April 2006, altogether killing at least 21 Israelis and 3 foreigners.

24. In late June and July 2006, the security situation worsened further, making July the deadliest month in the Gaza Strip in nearly two years. On 25 June, an armed Palestinian group attacked an army post near Karam Abu Slim (Kerem Shalom) crossing, killing two Israeli soldiers and capturing one. President Abbas called for the immediate release of the Israeli soldier while calling on the international community and the Quartet to prevent Israel from exploiting the situation to invade the Gaza Strip. On 27 and 28 June, the Israeli army expanded its military operation, code-named "Operation Summer Rains", attacking infrastructure in the Gaza Strip, including bombing the Gaza power station, cutting electricity to some 40 per cent of the Gaza Strip, leaving thousands of the Gaza residents without water. Three bridges were also destroyed, dividing the Gaza Strip into isolated units. The Secretary-General called upon Israel to show restraint and to avoid actions that damaged civilian infrastructure and aggravated the hardship of the Palestinian people. On 6 July, Israeli tanks pushed up to 6 kilometres into the northern Gaza Strip, taking position in three former settlements in an operation code-named "Oaks of Bashan". At least 12 Palestinians and 1 Israeli soldier were killed in the fighting. On 8 July, the Secretary-General called on Israel to restore and maintain the uninterrupted supply of fuel to Gaza and to ensure the passage of food and essential supplies through the Karni crossing. Israeli aircraft bombed the office of Prime Minister Haniyeh on 1 July and the Foreign Ministry building on 13 July. Because of the war in Lebanon, the United Nations Relief and Works Agency for Palestine Refugees in the Near East (UNRWA) along with United Nations humanitarian agencies working

in the Occupied Palestinian Territory,[5] on 3 August, expressed concern that with international attention focusing on Lebanon, the tragedy in Gaza that had started in June was being forgotten. The Under-Secretary-General for Political Affairs reported in August to the Security Council that since Israel's disengagement from the Gaza Strip in September 2005 to August 2006, 450 Palestinians had been killed. Over 2,500 have been wounded. The United Nations Office for the Coordination of Humanitarian Affairs reported 202 Palestinian deaths, including 44 children, since the beginning of the Israeli offensive in Gaza on 28 June. It was estimated that since the start of the second intifada in 2000, close to 4,400 Palestinians have been killed and some 31,000 wounded. As of July 2006, the number of deaths of children under 18 exceeded 850.

25. To improve the freedom of movement and economic activity of Palestinians living in the Gaza Strip, an Agreement on Movement and Access between Israel and the Palestinian Authority was reached on 15 November 2005. It provided for the reopening of the Rafah border crossing with Egypt and other crossing points. The Rafah terminal was transferred to the Palestinian Authority with oversight by European Union monitors. The Rafah and Al-Muntar (Karni) crossings have been only partially operational at rates far lower than foreseen by the Agreement, however. During 2006, less than 10 per cent of the Gaza Strip's minimum daily export targets have been achieved. The Rafah terminal has remained closed for all but two days for most of the months of July and August, preventing people from leaving or entering the Gaza Strip. There has been no progress on the other aspects of the Agreement, such as the Gaza-West Bank link and progress on the airport and seaport. Basic food commodities were severely depleted, bakeries closed and food rationing was introduced. The closure also seriously affected the export of produce from the Gaza Strip. The Al-Muntar (Karni) closures have cost Palestinians up to $500,000 a day, according to United Nations Office for the Coordination of Humanitarian Affairs estimates. The combination of checkpoints, physical obstacles and a permit system has cut the West Bank into three distinct areas in addition to East Jerusalem. In the Jordan Valley, Israel has placed a series of checkpoints and roadblocks between the Valley and the rest of the West Bank, separating Palestinians from their land, their families and from their jobs. Physical obstacles include the separation wall, checkpoints, partial checkpoints, roadblocks, road gates, earth mounds, earth walls, trenches and fences. The number of physical obstacles increased from 376 in August 2005 to 547 in August 2006.

26. On 9 March 2006, Acting Prime Minister Ehud Olmert made public a "convergence plan", in accordance with which Israel would withdraw from parts of the West Bank, and annex "Gush Etzion", the "Jerusalem Envelope", "Ma'ale Adumim", the "Ariel" region and the Jordan River as a "security border". He pledged to build up the "E1" area (area between "Ma'ale Adumim" and Jerusalem). In its statement of 9 May the Quartet rejected any unilateral steps on final status issues by either party. In August 2006, Prime Minister Olmert stated that owing to the war in Lebanon and the significant damage caused to northern Israel, his plan was no longer at the top of his Government's agenda.

[5] Office of the United Nations High Commissioner for Human Rights, United Nations Office for the Coordination of Humanitarian Affairs, World Food Programme, World Health Organization, Food and Agriculture Organization of the United Nations, United Nations Children's Fund, United Nations Population Fund and United Nations Development Fund for Women.

27. An issue of great concern to the Committee was the continued construction of the separation wall in the West Bank and East Jerusalem, in contravention of the advisory opinion of the International Court of Justice rendered on 9 July 2004, which reaffirmed the illegality of the wall. On 30 April 2006, the Israeli Cabinet revised the route, which would further consolidate Israeli control over vital parts of the West Bank, including East Jerusalem. The revised route would incorporate over 370,000 settlers, or nearly 87 per cent of the settler population. The wall in the Jerusalem area annexed 228.2 sq km of the West Bank, severing East Jerusalem from the rest of the West Bank and isolating over 230,000 Palestinian Jerusalemites from the rest of the West Bank. It would further separate over 2 million Palestinians living on the eastern side of the wall from East Jerusalem. The wall would sever East Jerusalem from Bethlehem and Ramallah, communities that have been socially, culturally and economically interdependent. Bethlehem would be completely cut off from Jerusalem, while the "Etzion" block settlements would expand onto more Palestinian land. On 21 March, the Israel Defense Forces issued a military order to seize 81.6 dunums of Palestinian land in Beituniya in the West Bank for construction of the wall. In May, Israeli Justice Minister Haim Ramon committed to finishing construction on 95 per cent of the wall by the end of 2006. Forty-two per cent (336 km) of the planned 790 km structure has been completed. Some 102 km were in various stages of construction, and would be completed at year's end. Sixty-seven kilometres were still at the paperwork level, and the building of a 285-kilometre-long section awaited Israeli court approval. The Committee noted the delay in establishing the register of damages to compensate those who had suffered any material damage as a result of the wall's construction, and urged the Secretary-General to intensify his efforts in that direction.

28. During the year, the Committee also noted the relentless settlement expansion. Territorial contiguity of East Jerusalem settlements was being enhanced. In November 2005, the Israel Land Administration published tenders for 350 housing units in "Ma'ale Adumim", bringing the total tenders for the settlement in 2005 to 665 units. In February 2006, the Israel Land Administration was working on a plan to expand "Pisgat Ze'ev", which had 40,000 residents. It proposed 1,100 new housing units in a development of 18 buildings of five to nine storeys. In March, new housing construction continued in "Karmei Tzur", "Karmel", "Kiryat Arba", "Pnei Hever" and "Susiya". Land levelling continued for a new security fence around "Adora" and "Pnei Hever". Settlers evacuated from the Gaza Strip were settling in the West Bank settlements of "Eshkolot", south of Hebron, "Ariel", and in the Jordan Valley settlement of "Maskiyot". The Jordan Valley is home to some 47,000 Palestinians, along with 8,300 settlers living in 31 settlements. Israel's de facto annexation of this area accounted for an additional 28.5 per cent of the West Bank. On 14 March, the Israeli authorities confirmed the list of 2,000 Palestinians banned from returning to the Jordan Valley. Thousands of dunums of land there had been transferred to settlements and army bases. In April, the Israel Defense Forces requisitioned 25 dunums belonging to the Palestinian towns of Beit Ummar and Halhul to create a buffer zone around "Karmei Tzur". On 4 May, Prime Minister Olmert announced a plan to build thousands of new dwellings in settlements to house evacuees from isolated settlements. Defence Minister Amir Peretz has approved expanding the territorial jurisdiction of four settlements — "Givat Ze'ev", "Oranit", "Maskiyot", and "Beitar Ilit". In spring 2006, construction began for 3,500 new units in "Nof Adumim", part of the "Adumim" settlement block. Construction of the Israeli police station in the E1 area had already been completed. The Israel

Defense Forces authorized plans to expand the municipal boundaries of "Beitar Ilit" by 500 dunums, connecting the settlement and the Green Line. An industrial zone was planned for the area. On 4 September 2006, the Israeli Construction and Housing Ministry solicited tenders for the construction of 690 apartments at "Beitar Ilit" and "Ma'ale Adumim". On 21 September, the Ministry invited bids for construction of 164 housing units for the settlements of "Ariel", "Alfei Menashe" and "Karnei Shomron". The wall and the planned settlement expansion would place some 45.5 per cent of the West Bank under Israeli control.

29. The number of settlers in the West Bank had increased by 3 per cent in the first six months of 2006, from 253,748 to 260,932. Settlers were involved in various violent incidents including attacking Palestinian farmers working their land; attacking Palestinian shepherds and killing their sheep; injuring Palestinian children on their way home in Hebron; uprooting thousands of olive trees and destroying fruit trees in Palestinian farms in Yatta, Kfar Thulth, near Qalqilya; setting fire in the village of Awarta near Nablus; beating Palestinians in their car and damaging their vehicle; throwing stones at cars; blocking roads near Palestinian villages. The settlement of "Beitar Ilit" discharged sewage onto lands belonging to the villages of Wadi Fukin and Nahhalin while settlers from "Ariel" continued to pump sewage water onto Palestinian farmlands belonging to residents of Burkin and Kfer al-Diq. The municipality of Salfit declared an emergency after sewage dumped from "Ariel" had contaminated the sole water well supplying surrounding villages. There have also been attacks by Palestinians against Israeli settlers.

30. The weak financial situation of the Palestinian Authority severely worsened owing to Israeli and donors' decisions to halt transfers of tariffs and direct aid, the contraction of Palestinian economic activity and reduced domestic tax revenues. Unpaid salaries to over 150,000 civil servants, 70,000 of whom were members of the security services, contributed to the deterioration of the security environment as frustrated civil servants vented their anger by protest demonstrations, strikes and taking over Government buildings and confrontations. Nearly 1 million Palestinians relied on Palestinian Authority wage earners whose salaries accounted for about 25 per cent of the gross domestic product. Responding to an urgent appeal of President Abbas, the European Commission in early July 2006 took action through setting up a temporary international mechanism. Its first steps were to provide fuel for hospitals in the Gaza Strip to enable the continued provision of essential health services. The Committee commended the efforts by many Governments to provide immediate financial relief to abate the fiscal crisis of the Palestinian Authority and expressed appreciation to the Arab League and international and regional financial institutions for their continued and augmented commitment. The Committee highly valued the efforts by James Wolfensohn as the Quartet's Special Envoy for Gaza Disengagement in implementing his mandate, as well as his role in the conclusion of the Agreement on Movement and Access.

31. The issue of the continued incarceration of a large number of Palestinian prisoners and detainees in Israeli prisons and detention facilities remained an issue of serious concern for the Committee. In September 2006, the Palestinian Authority Ministry of Detainees and Ex-Detainees Affairs reported that, since 1967, a total of some 700,000 (25 per cent of the population) Palestinians had been taken prisoner in the Occupied Palestinian Territory by Israel. There were 10,100 detainees still held in 30 Israeli prisons and detention facilities. Since September 2000, the beginning of the second intifada, about 4,000 children and 500 women had been arrested or

detained. About 120 women remained in custody. Prisoners and detainees were subjected to practices that undermined their health, tortured and humiliated. Palestinian political detainees in Israeli prisons, including senior Fatah and Hamas members, announced on 10 May an agreement on common principles for national action and dialogue outlined in a Prisoners' Document. The document was regarded as a precursor to a Palestinian national dialogue (see para. 21 above). On 29 June, Israel arrested 64 Palestinian Authority officials, including cabinet ministers and PLC members. On 5 August, PLC speaker Abd al-Aziz Dweik was arrested in Ramallah by Israeli forces. The Secretary-General expressed concern at the detention of the Palestinian officials, including PLC members.

32. The humanitarian situation in the Occupied Palestinian Territory has steadily worsened. Unemployment and poverty rates have increased dramatically. In May 2006, the rate of unemployment had been 34 per cent in the Occupied Palestinian Territory as a whole and 44 per cent in the Gaza Strip. This rate rose to 55 per cent during times of complete closure imposed by Israel. Similarly, the poverty rate was nearly 50 per cent, with the Gaza Strip rate at approximately 70 per cent. In June 2006, the World Food Programme increased the number of people it fed in the Occupied Palestinian Territory by 25 per cent, or from 480,000 to 600,000 non-refugees. Nearly 2 million Palestinians, 51 per cent of the population, were unable to meet their daily food needs without assistance. The plight of women has remained extremely difficult owing to the worsening security and economic situation. In the past six years, hundreds of women have been killed and injured on their way to and from work and as a result of being denied access to medical services. Half of all families living in Palestine refugee camps were headed by women. Female-headed households have been disproportionately affected by the rise in poverty that accompanied the violence and closures.

33. The Palestinian people have continued to suffer from low reserves and the quality of the drinking water available to them, a crisis caused by both the exhaustion of the Palestinian aquifer reservoirs by Israel and the over-drainage of thousands of illegal wells spread throughout the West Bank and the Gaza Strip. In the West Bank, Israel controlled 83 per cent of the Palestinian water. It also infringed on the Palestinian right to water in the Jordan Valley. The water crisis was further exacerbated by the security situation, which hindered projects aimed at improving the quality of water and providing alternatives to the available sources of water. More than 220 communities in the West Bank, around 320,000 people, were unconnected to water mains. Hundreds were forced to purchase water from expensive and unsanitary tankers. Farmers had to use expensive water to irrigate vegetable farms. Medical sources said diarrhoea, gastroenteritis, fever, kidney failure, infection and dermatological problems affected most Palestinian children and persisted to adulthood because of poor water supplies.

34. UNRWA officials expressed alarm that the general living conditions of the Palestine refugees in the Gaza Strip had become "deplorable and getting worse". In early June, authorities had not been able to pay suppliers, hospital staff and teachers, for three months, disrupting essential services, including medical care. Increasing restrictions imposed by Israel on Palestinian movement further stifled the economy. The Agency was caring for over 1.1 million people in the Occupied Palestinian Territory under its emergency programme, providing cash, food and temporary employment. In late July 2006, continued Israeli shelling drove over 1,500 Palestinians from their homes in the Beit Hanoun area to the Jabalya camp. Four

UNRWA schools at the camp were serving as makeshift shelters for those who had to flee their homes. While focused on the plight of Palestine refugees within its mandate, UNRWA also extended assistance to a number of non-refugee civilians affected by the war in Lebanon during July and August.

35. The Committee expressed appreciation for the work of the Programme of Assistance to the Palestinian People of the United Nations Development Programme (UNDP/PAPP). With funding from Japan, UNDP played a central role in supporting the Palestinian legislative election through establishing a Liaison and Support Unit that served as a resource centre for the over 1,000 international observers monitoring the elections. To combat poverty and rehabilitate agricultural land in the worst hit areas, UNDP/PAPP signed an agreement with the Islamic Development Bank, with funding by the Organization of the Petroleum Exporting Countries (OPEC). The project, the first of its kind with OPEC, focused on the agricultural sector of the Tulkarm area in the West Bank, which had suffered from restricted mobility and damage to agricultural land and infrastructure. In December 2005, UNDP/PAPP was entrusted by the Palestinian Authority, Israel and the Office of the Special Envoy of the Quartet to carry out a task of clearing and recycling the rubble left behind as a result of the destruction of the settlements in the Gaza Strip. With over 1.2 million tons of rubble to be cleared, the project would cost $24.7 million, which was being funded by Israel. Progress on this project was hampered by the heavy shelling of the former settlement areas. With funding from Japan and Norway, UNDP was taking a lead in assessing the damage to the infrastructure and assisting in alleviating the humanitarian crisis through employment generation schemes, removal of solid waste, and supplying essential fuel and equipment.

36. The United Nations Office for the Coordination of Humanitarian Affairs, established in the Occupied Palestinian Territory in 2000, was a response to the deteriorating humanitarian situation in the West Bank and the Gaza Strip. Its aim was to improve the humanitarian situation by enhancing coordination between agencies to ensure effective distribution of humanitarian assistance. It provides analytical reports on crucial issues to inform policymakers and help aid organizations in their operational decisions. It acts as guardian for the Consolidated Appeal Process. In September, donor nations pledged an additional $116 million, although the humanitarian appeal remained 42 per cent underfunded.

Chapter V

Action taken by the Committee

A. Action taken in accordance with General Assembly resolution 60/36

37. In pursuance of its mandate, the Committee continued to mobilize the international community in support of the Palestinian people, in cooperation with United Nations bodies, Governments, intergovernmental and civil society organizations and others, as indicated below.

1. Action taken in the Security Council

38. During the period under review, the Security Council has continued to monitor the situation on the ground and the efforts to implement the road map. Throughout the year, the Council held monthly briefings under the agenda item entitled "The situation in the Middle East, including the Palestinian question".

39. The Security Council met on 30 March 2006 for the monthly briefing, which was followed by a debate. The Chairman of the Committee, Mr. Paul Badji, took part in the debate and made a statement (see S/PV.5404).

40. The Security Council met on 17 April 2006, at the request of the Permanent Representative of Bahrain in his capacity as Chairman of the Arab Group for the month of April 2006 and on behalf of the States members of the League of Arab States (see S/2006/227), the Chargé d'affaires a.i. of Yemen in his capacity as Chairman of the Organization of the Islamic Conference Group (see S/2006/239), and the Permanent Representative of Malaysia in his capacity as Chairman of the Coordinating Bureau of the Non-Aligned Movement (see S/2006/240). The Chairman of the Committee took part in the debate and made a statement (see S/PV.5411).

41. The Security Council met on 30 June 2006 for the monthly briefing, which was followed by a debate (see S/PV.5481).

42. The Security Council met on 13 July 2006, at the requests of the Permanent Representative of Algeria, in his capacity as Chairman of the Arab Group for the month of June 2006, and on behalf of the States members of the League of Arab States (see S/2006/458), and the Permanent Representative of Qatar (see S/2006/462). The Council voted on a draft resolution submitted by Qatar (see S/2006/508). The result of the vote was 10 votes in favour, 1 against and 4 abstaining. The draft resolution was not adopted owing to the negative vote of a permanent member of the Council (see S/PV.5488).

43. The Security Council met on 21 July 2006 for a briefing from the Special Adviser to the Secretary-General and the Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator, which was followed by a debate. The Chairman of the Committee took part in the debate and made a statement (see S/PV.5493).

44. The Security Council met on 22 August 2006 for the monthly briefing, which was followed by a debate (see S/PV.5515).

45. The Security Council met on 21 September 2006, at the request of the Secretary-General of the League of Arab States (see S/2006/700). A debate, at the ministerial level, was held (see S/PV.5530).

2. Statements by the Committee

46. On 7 February 2006, the Bureau of the Committee issued a statement on the holding of the PLC elections (see GA/PAL/1000).

47. On 27 July 2006, the Bureau of the Committee issued a statement concerning the Israeli military operations in the Occupied Palestinian Territory (see GA/PAL/1017).

3. Participation by the Chairman of the Committee in international conferences and meetings

48. During the year, the Chairman of the Committee participated in events in support of the inalienable rights of the Palestinian people and contributed to their deliberations. The Chairman participated in the International Media Seminar on Peace in the Middle East, held from 8 to 9 June 2006 in Moscow, organized by the Department of Public Information of the Secretariat.

B. Action taken by the Committee and the Division for Palestinian Rights in accordance with General Assembly resolutions 60/36 and 60/37

1. Programme of international meetings and conferences

49. Through its programme of international meetings and conferences, the Committee continued to raise international awareness of the various aspects of the question of Palestine, and international support for the rights of the Palestinian people and the peaceful settlement of the question of Palestine.

50. In the period under review, the following international events were held under the auspices of the Committee:

(a) United Nations Latin American and Caribbean Meeting on the Question of Palestine, Caracas, 13 and 14 December 2005;

(b) United Nations Public Forum in Support of Israeli-Palestinian Peace, Caracas, 15 December 2005;

(c) United Nations Seminar on Assistance to the Palestinian People, Cairo, 26 and 27 April 2006;

(d) United Nations International Meeting in Support of Israeli-Palestinian Peace, United Nations Office at Vienna, 27 and 28 June 2006;

(e) Consultations with civil society organizations, United Nations Office at Vienna, 29 June 2006;

(f) United Nations International Conference of Civil Society in Support of the Palestinian People, United Nations Office at Geneva, 7 and 8 September 2006.

51. All of the above-mentioned events were attended by representatives of Governments, Palestine, intergovernmental organizations and United Nations system entities, as well as representatives of civil society and the media. The reports of the meetings were issued as publications of the Division for Palestinian Rights and were made available through the United Nations Information System on the Question of Palestine (UNISPAL) and the Division's website.

52. In Cairo, during the United Nations Seminar on Assistance to the Palestinian People, the Committee delegation was received by Mr. Ahmed Aboul Gheit, Minister for Foreign Affairs of the Arab Republic of Egypt, who stressed the urgency of supporting peace in the Middle East and welcomed the efforts of the Committee in that regard. At Vienna, in connection with the United Nations International Meeting in Support of Israeli-Palestinian Peace, the Committee delegation met with Ambassador Ralph Scheide, head of the Near and Middle East Department of the Austrian Foreign Ministry. On the sidelines of the United Nations International Conference of Civil Society in Support of the Palestinian People held in Geneva, the Committee delegation had meetings at the Federal Department of Foreign Affairs of Switzerland in Bern, with the International Committee of the Red Cross and the International Federation of Red Cross and Red Crescent Societies.

2. Cooperation with intergovernmental organizations

53. Throughout the year, the Committee continued its close cooperation with the African Union, the Non-Aligned Movement and the Organization of the Islamic Conference, through the participation of the Chairman in their meetings and through periodic consultations at United Nations Headquarters.

54. The Committee continued its cooperation on the question of Palestine with States members of the European Union. The Bureau held consultations with representatives of the European Union in March 2006 (under the Presidency of Austria) as part of the ongoing effort to build a constructive relationship with European Union members on issues of common concern.

3. Cooperation with civil society

Civil society organizations

55. The Committee continued to work with civil society organizations, academic institutions, think tanks and media representatives, using consultations with civil society representatives, participation in meetings organized by civil society organizations and the accreditation of new organizations. This work was reviewed and further advanced at the United Nations International Conference of Civil Society in Support of the Palestinian People. It provided civil society organizations from all regions of the world with an opportunity to discuss the situation on the ground, promote their current programmes, develop action-oriented proposals in support of the Palestinian people and improve the coordination of their activities. The Committee was appreciative of the work done by many civil society organizations and encouraged them to continue their work towards a just and lasting peace in the Middle East.

56. The Committee maintained and developed its liaison with the national, regional and international coordinating mechanisms cooperating with it, in addition to its established liaison with a large number of individual organizations.

Representatives of civil society participated in all meetings organized under the auspices of the Committee, including the observance of the International Day of Solidarity with the Palestinian People on 29 November 2005. In the period under review, the Committee also accredited 13 new organizations, including 2 as observers. Consultations between the delegation of the Committee and representatives of organizations accredited to the Committee were held at the United Nations Office at Vienna on 29 June 2006, following the United Nations International Meeting in Support of Israeli-Palestinian Peace. Participating representatives of non-governmental organizations discussed the humanitarian crisis in the Occupied Palestinian Territory, including East Jerusalem, and exchanged views with the Committee delegation on ways to improve their cooperation. The Chairman of the Committee has met throughout the year with representatives of civil society organizations in New York and at the meetings organized under the auspices of the Committee away from Headquarters.

57. The Division for Palestinian Rights maintained the Internet website "NGO Network on the Question of Palestine" as a tool for exchange of information and for cooperation between civil society and the Committee. The website can be found at http://www.un.org/depts/dpa/ngo. At the request of the Committee, the Division also continued to issue its bimonthly newsletter, *NGO Action News*, covering the activities of civil society on the various aspects of the question of Palestine.

Parliaments and inter-parliamentary organizations

58. The Committee continued to develop its liaison with national and regional parliaments and their organizations and invited a number of parliamentarians to speak at its meetings. During the year, the Bureau of the Committee has met with members of the PLC, the Knesset and other national parliaments.

4. Research, monitoring and publications

59. The Division carried out research and monitoring activities and responded to requests for information and briefings on the question of Palestine. Under the guidance of the Committee, which reiterated the relevance of the research, monitoring and publications programme, it also prepared the publications listed below for dissemination, including through UNISPAL:

(a) Monthly bulletin on action taken by United Nations and intergovernmental organizations relevant to the question of Palestine;

(b) Monthly chronology of events relating to the question of Palestine, based on media reports and other sources;

(c) Reports of international meetings and conferences organized under the auspices of the Committee;

(d) Special bulletins and information notes on the observance of the International Day of Solidarity with the Palestinian People;

(e) Periodic reviews of developments related to the Middle East peace process;

(f) Annual compilation of resolutions and decisions of the General Assembly and the Security Council relating to the question of Palestine.

5. United Nations Information System on the Question of Palestine

60. The Division for Palestinian Rights, in cooperation with relevant technical and library services of the United Nations Secretariat, continued to administer, maintain, expand and develop UNISPAL, pursuant to successive annual General Assembly mandates. This included the ongoing upgrading of technical components of the system to ensure its uninterrupted presence on the Internet, notably via the UNISPAL "Question of Palestine" portal, also developed and maintained by the Division, which is located on the United Nations home page, under "Peace and Security", and involved the expansion of the documents collection to include relevant new and old documents. In addition, steps continued to be taken to enhance the user-friendliness and usefulness of the system (http://domino.un.org/unispal.nsf) — including by incorporating additional multimedia content.

6. Training programme for staff of the Palestinian Authority

61. Two staff members from the Ministry of Foreign Affairs of the Palestinian Authority participated in a training programme conducted by the Division, from September to December 2005, in conjunction with the sixtieth session of the General Assembly. The trainees familiarized themselves with various aspects of the work of the Secretariat and other organs and conducted research on specific topics.

7. International Day of Solidarity with the Palestinian People

62. The International Day of Solidarity with the Palestinian People was observed at Headquarters and at the United Nations Offices at Geneva and Vienna on 29 November 2005. On the occasion of the observance at Headquarters, in addition to a special meeting of the Committee and other activities, a performance by the El-Funoun dance troupe entitled "Dancing Tragedies and Dreams" was organized by the Permanent Observer Mission of Palestine under the auspices of the Committee. The Committee noted with appreciation that the International Day of Solidarity had also been observed in many cities throughout the world. Details on the observance are contained in the special bulletin issued by the Division.

63. In adopting its programme of work, the Committee decided that a similar observance of the International Day of Solidarity should be organized in 2006.

Chapter VI

Action taken by the Department of Public Information in accordance with General Assembly resolution 60/38

64. The Department of Public Information, pursuant to General Assembly resolutions 59/30 of 1 December 2004 and 60/38, continued to implement its special information programme on the question of Palestine, using various tools at its disposal to disseminate information on this issue to the international community.

65. The Department's television, radio, press, photo and Internet news operations regularly covered the question of Palestine, providing live and archived coverage of open meetings of the General Assembly, the Security Council and other intergovernmental bodies on the issue. They also covered other programmes and activities in which the situation was addressed.

66. During the period under review, the Department issued 148 press releases on the question of Palestine (78 in English and 70 in French). In May 2006, the Department published the revised edition of *Basic Facts about the United Nations* in French and Spanish, which included an extensive section on the Middle East and all aspects of the Palestinian question. A revised edition of the smaller, companion volume, *UN in Brief*, was simultaneously issued in all six official languages.

67. United Nations Radio regularly covered various aspects of the question of Palestine and related issues in the news bulletins and the current affairs magazines in the official and non-official languages. Among the themes and issues covered were: the food crisis in Gaza owing to the Karni crossing closure; the request by UNRWA for $95.5 million to reconstruct Gaza and the West Bank; the World Food Programme warning on the deepening humanitarian crisis in Gaza; and the Secretary-General urging Israel to respect international humanitarian law.

68. The Arabic Language Unit covers all statements by the Security Council, the Secretary-General, the Special Envoy to the Middle East and the Under-Secretary-General for Political Affairs. It has contracted with two stringers who live in the West Bank and Gaza, and their reports from the region have improved the quality of the unit's outputs.

69. The United Nations website continued to host a page on the question of Palestine under the "Global issues" page, as well as the "Peace and Security" and "Refugees" pages. Links are available to UNISPAL, as well as to the web pages created by the Department of Political Affairs. In addition, the Website Section webcast all meetings of the Security Council and the General Assembly and most press conferences on the question of Palestine held at Headquarters, which were available immediately afterwards as archived webcasts.

70. The *UN News Centre* portal continued to provide extensive coverage on the question of Palestine and a wide array of related developments and issues. The number of visitors to the portal (which is available in all official languages) continued to grow. Notably, the Arabic version has registered over 1 million page views in the last 12 months. On the English- and French-language versions of the portal, related issues were the subject of nearly 400 news stories, which were also distributed worldwide to some 43,000 e-mail subscribers through the United Nations News Service. The period under review also witnessed a considerable increase in the usage of the portal's special "News Focus" page, providing visitors with easy

access to the broad range of United Nations resources on the question of Palestine, including links to key reports, statements, resolutions and other related materials.

71. United Nations Television distributed 12 stories related to the question of Palestine via UNifeed, a daily satellite television news feed reaching hundreds of broadcasters around the world.

72. As part of its special information programme on Palestine, the Department organized a training programme for 10 young Palestinian journalists at Headquarters, in Washington, D.C., and at the United Nations Office at Geneva, from 24 October to 9 December 2005. The programme was aimed at strengthening the participants' capacity as media professionals.

73. In cooperation with the Foreign Ministry of the Russian Federation, the Department organized an International Media Seminar on Peace in the Middle East, in Moscow on 8 and 9 June 2006, in which 72 people participated. Press releases were issued on the proceedings of the two-day seminar. The seminar was covered by the *Jerusalem Post*, *Yediot Ahronot*, *Ha'aretz*, *Al-Ayam* and *Al-Ahram* newspapers, as well as by *ITAR-TASS*, *Interfax*, *WAFA* (Palestinian News Agency) and major Russian television channels.

74. The Dag Hammarskjöld Library digitized documents pertaining to the United Nations Palestine Commission (A/AC.21 series) for the UNISPAL document collection.

75. The network of United Nations information centres, services and offices continued to disseminate information on the question of Palestine and to organize special outreach activities. Press releases, statements, documents and audio-visual material were brought to the attention of target audiences, posted on their websites and made available to visitors of their reference libraries.

76. A major focus of activities was the promotion of the International Day of Solidarity with the Palestinian People. The Department assisted in the installation of the annual exhibit on the question of Palestine at Headquarters. Special events and activities, including conferences and public forums, were organized by the centres, services and offices individually or jointly with academic institutions, foreign ministries or United Nations Associations. The Secretary-General's message for the Day was widely disseminated in official and non-official languages.

77. In addition, support was provided to the United Nations Latin American and Caribbean Meeting on the Question of Palestine, held in Caracas; the United Nations Seminar on Assistance to the Palestinian People, held in Cairo; the United Nations International Meeting in Support of Palestinian Peace, held in Vienna; and to the Commissioner-General of UNRWA during her visit to Brussels and Washington, D.C.

Chapter VII

Conclusions and recommendations of the Committee

78. The year was marked by a steady deterioration of the security and humanitarian situation in the Occupied Palestinian Territory, including East Jerusalem. The Committee expressed particular concern at the Israeli incursions into Gaza during the recent months and its destructive effects on the Palestinian people and on their hopes for peace. The Committee calls upon Israel to end its military operations in the Occupied Palestinian Territory and to stop any other measures that further undermine Palestinian institutions. It reminds Israel, the occupying Power, that it is bound by the Geneva Convention relative to the Protection of Civilian Persons in Times of War, which obliges the parties to protect civilians during hostilities. The Convention's applicability to the Occupied Palestinian Territory, including East Jerusalem, has been repeatedly confirmed by the General Assembly and the Security Council. Israel must end its incursions into Gaza, cease offensive military operations in the Occupied Palestinian Territory, withdraw its forces to their original positions outside Gaza, and release, immediately and unconditionally, all imprisoned cabinet members and parliamentarians, as well as other Palestinian prisoners. The Committee strongly condemns the killing of innocent civilians by either side. It denounces rocket attacks on Israel and calls for a cessation of those activities by Palestinian armed groups. The Committee is strongly opposed to the expansion of settlements in the West Bank and efforts to complete the construction of the wall on Palestinian land. It is particularly alarmed by the intention of the Israeli Government to expand large settlement blocks in the West Bank, which would separate East Jerusalem from the West Bank and the southern West Bank from its northern part. The Committee reiterates its position of principle that the settlements and the wall constructed by Israel in the Occupied Palestinian Territory, including East Jerusalem, are contrary to international humanitarian law and numerous resolutions of the Security Council and the General Assembly, adopted since 1967, as well as the provisions of the road map. It reminds the Secretary-General of the urgency of establishing the register of damage caused by the construction of the wall.

79. The Committee welcomes the signing of the National Conciliation Document by the major Palestinian political organizations, the decision to form a national unity Government, and the designation of Palestinian Authority President Mahmoud Abbas as the person in charge of negotiations with Israel. These have been encouraging developments and should be supported by Israel and the international community. At the same time, the international community should focus on practical and meaningful benchmarks to engage all parties to achieve a mutual ceasefire and support major international peace efforts, including the Arab Peace Initiative and the road map. The Committee reiterates that only a negotiated solution can bring about the goal of a comprehensive, just and lasting settlement of the question of Palestine through the establishment of two States, Israel and Palestine, based on the 1967 borders. A settlement should be based on Security Council resolutions 242 (1967), 338 (1973), 1397 (2002) and 1515 (2003) in particular, and other relevant resolutions. The Committee hopes that the Security Council, the Quartet and the other actors of the international community will continue to work towards the achievement of this goal.

80. The Committee feels strongly that, through the programme of mandated activities of the Division for Palestinian Rights, it will be able to continue to generate heightened international awareness of the various aspects of the question of Palestine, as well as international support for the rights of the Palestinian people and the peaceful settlement of the question of Palestine. In that connection, the Committee emphasizes the essential contribution of the Division in support of its mandate aimed at enabling the Palestinian people to exercise their inalienable rights. In that regard, the Committee notes with satisfaction (a) the level of dialogue, engagement and support of the international community for its programme objectives, for instance, in terms of both participation at the meetings convened and the use of printed and electronic information materials provided by the Division; (b) the number of civil society organizations that have received accreditation to the Committee; and (c) the number of pages viewed on the United Nations website on the question of Palestine. The Committee also considers that the annual training programme for staff of the Palestinian Authority has proved its usefulness, and requests that it be continued.

81. The Committee considers that its programme of international meetings and conferences contributes to focusing the attention of Governments, intergovernmental and civil society organizations and the general public on issues crucial for advancing a peaceful settlement of the conflict. The meetings highlight the most pressing concerns, such as the need to end violence, stop settlement activities and improve the living conditions of the Palestinian population. They contribute to raising international awareness of the root cause of the conflict, namely the occupation by Israel of the Palestinian Territory, including East Jerusalem. They also mobilize international support for efforts to resolve the conflict, including through the convening of an international peace conference. It will continue the programme to foster support for the attainment by the Palestinian people of its inalienable rights in accordance with international legitimacy. In its meetings programme for 2007, the Committee intends to address such issues as the detrimental effects of unilateral steps by the occupying Power; the responsibility of all Governments to apply international law to all aspects of the question of Palestine, in accordance with the advisory opinion of the International Court of Justice; the need to convene the Conference of High Contracting Parties to the Fourth Geneva Convention, in view of the systematic violation by the occupying Power of international humanitarian law; the adverse consequences of the settlement policy and the construction of the wall for the achievement of a two-State solution; the collective international responsibility to protect the Palestinian people; the need to alleviate humanitarian and socio-economic hardships, including the plight of Palestinian women and children; and the role of civil society.

82. The Committee commends civil society organizations for their efforts to uphold international legitimacy with regard to the question of Palestine through advocacy and the mobilization of public opinion and for their initiatives aimed at alleviating the plight of the Palestinian people. It notes the support it receives from the Secretariat in strengthening its cooperation with civil society. The Committee encourages civil society organizations to broaden their base and to focus and harmonize their advocacy efforts at the local, national, regional and international levels with respect to the legal obligations

of Governments, as emphasized in the advisory opinion of the International Court of Justice. It supports all humanitarian and assistance initiatives geared towards improving the daily lives of the Palestinians. The Committee will continue to involve parliamentarians in its programme of international meetings and conferences.

83. **The Committee requests the Division to continue its substantive and secretariat support; the programme of research, monitoring and publications and other informational activities, such as the further expansion and development of UNISPAL, including the graphic enhancement of the "Question of Palestine" website; the annual training programme for staff of the Palestinian Authority; and the annual observance of the International Day of Solidarity with the Palestinian People.**

84. **The Committee is of the view that the special information programme on the question of Palestine of the Department of Public Information has made an important contribution to informing the media and public opinion of the relevant issues. The Committee requests the programme's continuation, with the necessary flexibility, as warranted by developments relevant to the question of Palestine.**

85. **Wishing to make its contribution to the achievement of a comprehensive, just and lasting settlement of the question of Palestine and in view of the many difficulties facing the Palestinian people and besetting the peace process, the Committee calls upon all States to join it in this endeavour and invites the General Assembly again to recognize the importance of its role and to reconfirm its mandate with overwhelming support.**

06-55649 (E) 271006

A/61/36

United Nations

Report of the United Nations High Commissioner for Human Rights

General Assembly
Official Records
Sixty-first Session
Supplement No. 36 (A/61/36)

General Assembly
Official Records
Sixty-first Session
Supplement No. 36 (A/61/36)

Report of the United Nations High Commissioner for Human Rights

United Nations • New York, 2006

Note

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Contents

Chapter		*Paragraphs*	*Page*
I.	Introduction	1	1
II.	Country engagement	2–32	2
	A. Strengthening Headquarters capacity to support country engagement	5–10	2
	B. Strengthening OHCHR presence in the field	11–21	3
	C. Strengthening partnerships within the United Nations	22–31	5
	D. Overcoming the closed-door policy	32	7
III.	Developments in strategic thematic areas	33–62	8
	A. Development, poverty reduction and the Millennium Development Goals	33–39	8
	B. Economic, social and cultural rights	40–42	9
	C. Women's rights	43–45	9
	D. Issues of equality and non-discrimination	46–50	10
	E. Issues of migration and trafficking	51–57	11
	F. Rule of law and democracy	58–60	12
	G. Human rights responsibilities of business	61–62	13
IV.	Establishment of the Human Rights Council, Universal Periodic Review and review of mandates and mechanisms	63–79	14
V.	Treaty body reform	80–88	17
VI.	Country engagement	89–93	19

Chapter I

Introduction

1. The present report is submitted pursuant to General Assembly resolution 48/141 and focuses on developments since the sixtieth session of the Assembly, including in relation to implementation of my Plan of Action and the Strategic Management Plan of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the establishment of the Human Rights Council and treaty body reform. This report should be read in the context of my report submitted earlier this year to the Commission on Human Rights and the Human Rights Council (E/CN.4/2006/10).

Chapter II
Country engagement

2. In line with the Secretary-General's report to the General Assembly, "In larger freedom: towards development, security and human rights for all" (A/59/2005), my Plan of Action emphasizes that "engagement and dialogue with countries will be the primary means through which OHCHR works to ensure the implementation of human rights".

3. Country engagement, in its various forms, aims to assist States to address protection gaps through a consultative process which involves Government, civil society and other relevant national counterparts as well as international ones — including within the United Nations. OHCHR is not an arbiter or judge, but sees its work as an ongoing dialogue, bringing duty-bearers and rights-holders together towards more effective promotion and protection of human rights. To this end, the monitoring of human rights developments at the country level and relevant collection of information are indispensable tools for an objective analysis of the human rights situation which, in turn, is fundamental in order to devise the most adequate form of technical cooperation.

4. The first area of action anticipated in my Plan of Action is "greater country engagement through an expansion of geographic desks, increased deployment of human rights staff to countries and regions, the establishment of standing capacities for rapid deployment, investigations, field support, human rights capacity-building, advice and assistance, and work on transitional justice and the rule of law".

A. Strengthening Headquarters capacity to support country engagement

1. Enhancing geographic desks' capacity

5. In order to pursue a more effective country engagement strategy at all levels, the strengthening of Headquarters capacity is essential. In my Plan of Action, it is foreseen that geographic desks will be strengthened at headquarters through a substantial increase in staffing levels. This will allow OHCHR to follow more closely and analyse more thoroughly human rights-related developments in the various regions and, on this basis, to engage more efficiently. This will also enable best advantage to be taken of the work of the whole range of international human rights mechanisms — treaty bodies, special procedures and the Human Rights Council — and to monitor the implementation of their recommendations.

2. Establishment of a Rapid Response Unit

6. A Rapid Response Unit was established to strengthen and coordinate the Office's response to human rights crises. One of the key components of a rapid response capacity is to deploy human rights officers at short notice. In the case of Lebanon, since the beginning of the crisis on 12 July, I have taken measures to deploy a human rights officer on the ground despite a very difficult environment and severe security constraints. This has enabled my Office better to analyse the situation, identify priority human rights concerns and propose responses.

7. The strengthening of the Unit is also crucial as, over the past years, OHCHR has increasingly been called upon to support the establishment of, and to take part in, rapid response initiatives, such as fact-finding missions, commissions of inquiry, start-up missions, and operations requiring strengthening due to unforeseen needs. The Unit assists in the planning, design and execution of such initiatives and is in the process of establishing partnerships with United Nations agencies and an internal and external stand-by roster of qualified staff to secure adequate stand-by resources.

8. In 2005, the International Commission of Inquiry on Darfur, as well as a fact-finding mission on Togo and the OHCHR mission to Kyrgyzstan concerning the events in Andijan, Uzbekistan, were successfully supported. In 2006, OHCHR has supported similar initiatives, namely the Independent Special Commission of Inquiry for Timor-Leste and the High-Level Commission of Inquiry into the situation in Lebanon.

9. Some preparatory work has also been undertaken with a view to strengthening OHCHR capacity in the area of investigation as far as the development of methodological tools to guide OHCHR work and delivery of training are concerned. Contacts have been made with expert institutions for possible collaboration in this area. A study on the work of OHCHR in fact-finding and inquiry missions has been prepared (E/CN.4/2006/89).

3. Support to national human rights institutions

10. National human rights institutions (NHRIs) are a key element of the OHCHR country engagement strategy as indispensable actors for any long-term human rights approach in a country or region. OHCHR has helped establishing and strengthening NHRIs as important partners in its work. During 2006 OHCHR has provided advice on the establishment or strengthening of NHRIs on: appointments procedures (in Sierra Leone, in cooperation with the United Nations Mission in Sierra Leone; Sri Lanka); enabling legislation to establish an NHRI (The Comoros; Iraq; Mauritania, in cooperation with UNDP; Pakistan, with the Pakistani Parliamentarians Commission for Human Rights; Nepal; Scotland; United Kingdom; Uruguay; Chile).

B. Strengthening OHCHR presence in the field

11. It is through its expanded presence in the field, both at country and regional levels, that OHCHR will be able to achieve the greatest impact. Indeed, our presence on the ground enables first-hand knowledge, comprehension and analysis of human rights issues and developments, facilitates the establishment of stronger relationships with all counterparts including rights-holders, and thus fosters institutional credibility and trust. A monitoring presence can have a significant preventive and protective impact. Field presence therefore remains a preferred form of OHCHR country engagement. However, in order to play an effective role, country and regional offices need to be able to pursue the whole of the High Commissioner's mandate as set out in resolution 48/141 and should be adequately staffed and resourced.

12. Thus, my Plan of Action and Strategic Management Plan envisage an increase in operational deployment at the country and regional levels.

1. Establishment of new Regional Offices

13. I intend to strengthen the seven existing regional and subregional offices of OHCHR. In particular, the Regional Office for the Middle East and the Gulf, in Beirut, is being revitalized and restructured following the crisis in Lebanon.

14. The establishment of four new regional offices, and of a human rights training and documentation centre, is progressing:

- In June 2006, a Regional Representative was deployed to Kyrgyzstan to cover Central Asia;
- OHCHR has undertaken preparations for the opening of a Regional Office for West Africa in Dakar, with an annex in Abuja;
- My Office has conducted consultations regarding the establishment of a Regional Office for Northern Africa in Cairo. A draft host country agreement, as well as a concept paper regarding the mandate, functions, and activities of the Regional Office have been provided to the Government of Egypt;
- An assessment has been conducted to identify a location of our future Regional Office in Central America and a decision should be made by October 2006;
- As requested by the General Assembly in resolution 60/153 of 16 December 2005, consultations with the Government of Qatar are ongoing to establish a United Nations human rights training and documentation centre for South-West Asia and the Arab region, which is expected to start operations in 2006.

15. Regional offices will allow OHCHR to constructively collaborate with Governments in the region, relevant regional and subregional intergovernmental and non-governmental organizations in the area of human rights, national human rights institutions, as well as United Nations Country Teams (UNCTs). Regional offices would thus facilitate the development and implementation of engagement strategies for all countries concerned.

2. Expansion of country offices

16. An expansion of country offices is foreseen, but on a modest scale for 2006-2007 as the objective is to strengthen existing presences. OHCHR currently has 10 country offices, and two new offices will be established, in Togo and Bolivia. Consultations with the Government of Togo have advanced significantly and it is expected the office of OHCHR there will be established by the end of 2006. As for Bolivia, a technical assessment mission of OHCHR was conducted in La Paz in early September 2006 to initiate negotiations with the Government.

17. Last year, I established offices in Nepal, Guatemala and Uganda. In these three countries, our engagement has been fruitful and the Governments' cooperation promises an improvement of the human rights situation.

18. In Nepal, our presence throughout the country has been credited with contributing to the protection of vulnerable populations. It has also been praised for promoting restraint by all parties to the conflict. Both parties have requested the assistance of OHCHR to continue monitoring the human rights situation. My Office is determined to pursue its engagement.

19. In Guatemala, the office of OHCHR is strongly engaged, together with the Government, the Ombudsman, the judiciary, Congress and civil society, in addressing long-standing human rights issues, including discrimination faced by indigenous peoples, poverty and public insecurity. The Office is firmly committed to further assist the Government in conducting and implementing reforms stemming from the peace agreements.

20. In Uganda, my Office is engaged in an open dialogue with the Government and security sector institutions for the prevention of human rights violations.

21. At the same time, OHCHR is phasing down in Bosnia and Herzegovina, Serbia, and in The former Yugoslav Republic of Macedonia, where it has been present for more than 10 years. OHCHR will remain present in the region, strengthening its Office in Kosovo in light of serious human rights concerns and upcoming challenges.

C. Strengthening partnerships within the United Nations

22. Our country engagement will undoubtedly have a stronger impact through the strengthening of partnerships with other parts of the United Nations — in line with my objective of exercising greater leadership within the organization.

1. Increased engagement with peace missions

23. My Plan of Action states that the protection of human rights must be at the core of policies to address conflicts. It also foresees a review of the support for Human Rights Components of Peace Missions with a view to making it more effective and increasing its capacity to provide advice and training to their civilian, police and military component. In 2005, OHCHR coordinated interdepartmental consultations which culminated in a Secretary-General's decision on human rights in integrated missions, adopted in October 2005. This decision constitutes a significant step in bringing human rights to the heart of the work of peace missions and is a cornerstone of a consolidated cooperation between the Department of Peacekeeping Operations and the Department of Political Affairs and OHCHR as well as UNCTs.

24. This decision sets out the responsibility of all United Nations entities to ensure the integration of human rights into field operations and the consolidation of core human rights functions in field missions. It provides that all core human rights functions in an integrated mission will be coordinated by one human rights component and reaffirms the role of OHCHR as the "lead agency" for human rights operations. Importantly, heads of human rights components of peace missions become my Representatives and, as such, are also full-fledged members of the United Nations country team — thereby potentially enabling a more systematic human rights engagement of UNCTs in peacekeeping contexts and allowing a broader range of capacity-building activities. OHCHR is working closely with the Department of Peacekeeping Operations, the Department of Political Affairs, individual peace missions, as well as other partners, to implement the decision, and an Action Plan has been developed.

25. The Secretary-General's decision also emphasizes the importance of public human rights reporting and efforts will be made, increasingly, towards joint human

rights reporting — including thematic reporting — and wider dissemination. A number of missions are issuing regular public human rights reports, including the United Nations Organization Mission in the Democratic Republic of the Congo, the United Nations Stabilization Mission in Haiti, the United Nations Operation in Burundi, the United Nations Operation in Côte d'Ivoire, the United Nations Mission in Liberia, the United Nations Assistance Mission for Iraq and the United Nations Mission in the Sudan — the latter two jointly with OHCHR.

26. OHCHR assisted in developing guidelines on the Integrated Mission Planning Process (IMPP) and has taken part in a number of technical assessment missions (Sudan/Darfur, Timor-Leste). OHCHR has also advanced work on developing the human rights-related sections of the DPKO Peacekeeping Guidance Project. In this context, a project was started to consolidate and develop policy and methodological guidance for human rights components of peace operations, as well as human rights guidance for military, police and rule of law components of missions. Some activities were undertaken in cooperation with the Department of Peacekeeping Operations to disseminate concepts and materials on rights-based approaches to the work of military peacekeepers among member States, and a basic module on human rights for inclusion in a training series for all peace operations personnel was updated. An inter-agency project (UNMIS, OHCHR, UNDP, UNICEF, UNFPA) to assist the African Union Mission in Darfur in strengthening its human rights capacity, including through the development of training, was started.

2. Stepping up cooperation with humanitarian actors

27. The strengthening of collaboration with humanitarian actors is a major objective of OHCHR, not only in the context of conflicts or in post-conflict times, but also in relation to natural disasters. Over the past year OHCHR continued to build partnerships with humanitarian agencies and engage with humanitarian-related mechanisms, including the Inter-Agency Standing Committee (IASC). OHCHR also takes an active role in the development of the inter-agency Protection Standby Capacity (PROCAP). Moreover, we have actively engaged on the Protection Cluster Working Group in the reform and strengthening of the humanitarian coordination system including, through the design of profiles, assessment criteria and training modules.

28. We have equally supported the development of tools for humanitarian response, and have taken the lead in the drafting of the recently published Human Rights Guidance Note for Humanitarian Coordinators.

29. My Office has also recently become part of important initiatives to mainstream human rights into humanitarian assistance/relief in the aftermath of natural disasters. Since 2004, a senior human rights adviser has been deployed to Sri Lanka to work under the Resident Coordinator system to mainstream human rights in the work of the United Nations in support of the peace process but also to provide advice to the United Nations country team on rights-based approaches to the humanitarian response following the tsunami. Also, since October 2005, a human rights adviser has been posted to Pakistan following the earthquake. In both cases, the work of the advisers has been praised as a valuable contribution to improve the conception and delivery of humanitarian assistance.

3. Improving partnerships with the United Nations Resident Coordinator System

30. Cooperation with the Resident Coordinator System and United Nations country teams is becoming more structured and systematic. In compliance with the mandate of OHCHR to coordinate the human rights promotion and protection activities throughout the United Nations system, and in follow-up to the Secretary-General's request for OHCHR to work through the Resident Coordinator System to ensure that human rights are incorporated into country-level analysis, planning and programme implementation, OHCHR has strengthened its cooperation with UNCTs, deploying human rights advisers to assist resident coordinators in responding to complex human rights issues, when these arise.

31. OHCHR has also initiated discussions with United Nations partners such as the United Nations Development Group Office (UNDGO) and UNDP towards strengthening the effectiveness of human rights adviser to UNCTs, in line with system-wide efforts to strengthen coherence in the developmental and humanitarian work. As part of this effort, OHCHR is seeking to standardize the basic conditions and operating procedures in place for the deployment of human rights advisers to United Nations country teams, in a manner consistent with the objectives of the Office. OHCHR has human rights advisers in four countries: Georgia, Pakistan, Somalia and Sri Lanka funded either by the OHCHR Voluntary Fund for Technical Cooperation or in collaboration with other United Nations agencies and departments. Further human rights advisers are envisaged in different regions throughout 2006 and 2007.

D. Overcoming the closed-door policy

32. Despite the wide range of country engagement tools, my Office as well as special procedures mandate-holders still encounter difficulties in accessing a number of countries and I would like to continue or initiate a dialogue with the Governments of these countries to assist them in addressing the important protection gaps they face. I would also like to reiterate that closed-door policies and denial of access are grave concerns as they impede both on accurate assessment of the human rights situation in the country and any possibility of relevant technical assistance.

Chapter III
Developments in strategic thematic areas

A. Development, poverty reduction and the Millennium Development Goals

33. My Office is strengthening its capacities and consolidating expertise in the areas of the right to development and the Millennium Development Goals (the Goals), in order to more effectively support Member States in making the right to development a reality in practice. On the basis of work by the High-Level Task Force on the Implementation of the Right to Development, the Working Group on the Right to Development, at its seventh session in January 2006, adopted a set of criteria to evaluate, through the lens of the right to development, global partnerships as contained in Goal 8, with a recommendation to pilot these criteria to selected global partnerships. The Working Group's recommendations were endorsed by the Human Rights Council at its first session in June 2006, and OHCHR is presently supporting the High-Level Task Force in preparing first steps towards piloting of the above-mentioned criteria.

34. OHCHR has set working towards poverty reduction with other partners as one of its priorities for the 2006-2007 biennium programme, and to date I can report on progress in a few selected areas.

35. OHCHR has continued to support the Social Forum under the Sub-Commission on the Protection and Promotion of Human Rights, or any successor advisory body the Human Rights Council may decide upon. It will be instrumental in advancing a shared conceptual understanding of the linkages between human rights and extreme poverty, and in ensuring that the voices of the poorest are heard in United Nations discussions on these issues.

36. Consistent with the World Summit Outcome resolution, my Office is presently exploring the prospects of deeper collaboration with the World Bank. At the invitation of the World Bank's Nordic/Baltic donors, OHCHR has contributed actively to the Nordic/Baltic Executive Directors' Human Rights Initiative, which led to the establishment in July 2006 of the World Bank's Justice and Human Rights Trust Fund. Discussions are under way with World Bank officials to identify areas of collaboration under the Trust Fund, including in capacity development and integrating human rights in poverty-reduction strategies at the national level.

37. Building on conceptual work launched in 2002, OHCHR will publish a set of "Principles and guidelines for a human rights approach to poverty reduction strategies" in October 2006. The guidelines are intended as a tool to assist countries, international agencies and development practitioners to translate human rights norms, standards and principles into policies and strategies in favour of the poor. Internal capacity-building efforts within OHCHR have been strengthened and re-oriented towards a stronger country and regional focus, enhancing OHCHR dialogues with national partners and multilateral and bilateral development agencies on these issues.

38. I have chosen "Poverty and human rights" as the theme for this year's Human Rights Day on 10 December 2006. It is hoped that the Human Rights Day would serve as a reminder of our commitment to the universality of human rights and the

elimination of poverty. A range of media events and country level activities will take place highlighting — through people's own stories — the impact of poverty as the gravest human rights challenge in all countries of the world, and how strategies grounded in the human rights framework can help individuals and communities to challenge entrenched patterns of discrimination and lift themselves from the poverty trap.

39. There are also a number of important partnership initiatives under way that support OHCHR contributions to United Nations system-wide poverty reduction goals. Notable among them is OHCHR's continued leadership in the Action 2 reform initiative of the Secretary-General, aimed at enhancing system capacity in supporting Member States' efforts to strengthen human rights protection systems at the national level. As country-level implementation of Action 2 intensifies, the programme is scaling up its support to United Nations country teams with seed funding for capacity-building activities. It is envisaged that, by the end of 2006, some 30 United Nations country teams will benefit from support offered by the Action 2 programme.

B. Economic, social and cultural rights

40. In line with the objectives set out in my Strategic Management Plan for 2006-2007, OHCHR has embarked on efforts to strengthen its expert capacity in the area of economic, social and cultural rights, with a focus on legal protection and advocacy — a theme for my report to the 2006 session of the Economic and Social Council (E/2006/86).

41. OHCHR has supported the intergovernmental discussions on the drafting of an optional protocol to the International Covenant on Economic, Social and Cultural Rights, which would establish an individual communications procedure to the Covenant. OHCHR serviced and provided substantive support to the third session of the Open-ended Working Group on an Optional Protocol (6-17 February 2006) (E/CN.4/2006/47). OHCHR attended and contributed to regional consultations on the optional protocol convened by the Governments of Mexico and Finland (Mexico City, 30-31 May 2006, and Helsinki, 27-28 July 2006), and it is planning to support further regional consultations. OHCHR will also support an experts' meeting convened by the Chairperson-Rapporteur (Lisbon, 29 September-1 October 2006).

42. OHCHR is in the process of elaborating a strategy for its work on economic, social and cultural rights, in consultation with various partners. One key objective is to enhance OHCHR's capacity, including through its field presences, to assist States, at their request, in strengthening national protection of economic, social and cultural rights, and to provide thematic support to the United Nations human rights treaty bodies and special procedures as well as United Nations agencies, funds and programmes.

C. Women's rights

43. OHCHR is in the process of establishing a new Women's Human Rights and Gender Unit, as part of our efforts to strengthen the Office's thematic expertise and our work for greater protection and empowerment of women. The Unit will focus on issues such as overcoming discrimination against women, including by addressing

laws and practices that discriminate against women, violence against women, and combating impunity for violations of women's human rights.

44. OHCHR participates in a number of inter-agency bodies working on women's human rights. In the reporting period, OHCHR has, inter alia, contributed to the work of the Inter-Agency Network on Women and Gender Equality (IANWGE), supporting the work of task forces dealing with women, peace and security, and indigenous women as well as IANWGE cooperation with the Organization for Economic Cooperation and Development/Development Cooperation Directorate Network on Gender Equality. OHCHR also participates in the Inter-Agency Standing Committee Taskforce on Gender and Humanitarian Action, where we, among other things, have contributed to the development of "A Handbook for Gender Equality in Humanitarian Action", and in the Joint United Nations Executive Committee on Humanitarian Affairs (ECHA)/United Nations Executive Committee on Peace and Security (ECPS) Taskforce on Protection from Sexual Exploitation and Abuse.

45. OHCHR worked bilaterally with a number of United Nations partners, including with DPKO to integrate a gender and women's human rights perspective in peacekeeping operations, with the Office of the United Nations High Commissioner for Refugees (UNHCR) and World Health Organization (WHO) supporting efforts to mainstream gender and women's human rights in their work. OHCHR has also participated in a range of activities of the Division for the Advancement of Women under the annual joint workplan submitted to the Commission on the Status of Women and the Commission on Human Rights.

D. Issues of equality and non-discrimination

46. Notable progress has been made in our efforts to promote equality and non-discrimination. My Office has provided substantive expertise and support in contribution to the adoption by the Ad Hoc Committee of the General Assembly on a draft international convention on the rights of persons with disabilities. After its adoption by the General Assembly, I believe that this Convention will offer genuine protection to the estimated 10 per cent of the world's population who have a disability and who are exposed to the most extreme forms of denial of human rights. I look forward to collaborating with States and civil society to support the new Committee on the Rights of Persons with Disabilities that will be established under the Convention.

47. Another landmark is the adoption by the Human Rights Council of the long-negotiated United Nations Declaration on the Rights of Indigenous Peoples. My Office has continued its work on the promotion and protection of the human rights of indigenous peoples by supporting, at the substantial and organizational levels, the existing human rights mechanisms relating to indigenous peoples, standard-setting processes, advocating for inter-agency cooperation, mainstreaming indigenous peoples rights within the United Nations system and UNCTs, empowering indigenous organizations and communities, and assisting States on these issues. OHCHR is strengthening its capacity-building work aimed at indigenous peoples through the Indigenous Fellowship Programme, as well as OHCHR/UNDP Human Rights Strengthening (HURIST) project activities in Bolivia, Ecuador, Guatemala and Kenya.

48. The struggle against racism, racial discrimination and xenophobia constitutes a priority for my Office. The principal focus of OHCHR has been on the effective implementation of the Durban Declaration and Programme of Action. We continue to provide substantive and organizational support to the work of the Intergovernmental Working Group on the Effective Implementation of the Durban Declaration and Programme of Action, the Working Group of Experts on People of African Descent and the group of Independent Eminent Experts.

49. The Office extended support to the Regional Conference of the Americas against racism, racial discrimination, xenophobia and related intolerance organized by the Governments of Brazil and Chile and held in Brasilia from 26 to 28 July 2006, on progress made and challenges remaining with regard to the effective implementation of the Durban Programme of Action.

50. My Office initiated and organized a number of activities in commemoration of the International Day for the Elimination of Racial Discrimination on 21 March 2006, including panel discussions on the theme "Fighting everyday racism" in collaboration with the International Labour Organization (ILO) and the United Nations Educational Social and Cultural Organization (UNESCO).

E. Issues of migration and trafficking

51. Migration is high on the international agenda of 2006, and rightly so. The High-Level Dialogue on International Migration and Development of the General Assembly scheduled in September 2006 triggered an important debate on migration within the United Nations system and the international community at large.

52. My Office has actively contributed to the preparation of the High-Level Dialogue and has aimed at bringing human rights to the forefront of the debate. Respecting human rights is not only a legal obligation. It is also a precondition for our societies to grow and prosper in peace and security. OHCHR provided comments on the outline and drafts of the Secretary-General's report on international migration and development (A/60/871). A paper on the interlinkages between migration, development and human rights, a set of key messages as well as a compilation of findings and observations by the United Nations human rights system relating to the human rights of migrants are available on OHCHR's website, as its contribution to the High-Level Dialogue.

53. A human rights approach to migration includes a recognition that migrants are holders of rights which States of origin, transit and destination have an obligation to respect — the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families offers States the most comprehensive framework for the protection of the rights of migrants. It also calls on States, inter alia, to recognize that development is more than an economic parameter and encompasses human rights; that human rights deficits must be addressed in order to make migration an informed choice; and that discrimination is an underlying factor of migrants' vulnerability, which limits or nullifies migrants' contribution to development and thus needs to be addressed forcefully. Measures to protect the human rights of victims of human trafficking and smuggling are urgently needed, and information on safe and legal migration is to be made available and accessible. There is also a need for migration policies and programmes to be gender-

sensitive to ensure that adequate attention is given to the special circumstances of migrant women.

54. From December 2005 to March 2006, OHCHR chaired the Geneva Migration Group (GMG), which became the Global Migration Group during the OHCHR chairmanship. We continue to be an active member of GMG, which aims to enhance the overall effectiveness of inter-agency response to the opportunities and challenges posed by migration.

55. OHCHR, together with the *Defensoria del Pueblo of Bolivia* and the International Coordinating Committee of National Institutions (ICC), is organizing the Eighth *International Conference of National Human Rights Institutions*, on "Migration: the role of National Human Rights Institutions". The purpose of the Conference, to be held 23-27 October 2006 at Santa Cruz, Bolivia, is to develop and strengthen cooperation between NHRIs with regard to migrant and human rights issues; promote the adoption of strategies with regard to migration and human rights; establish guidelines for NHRIs in dealing with migrant issues; and adopt a Declaration and a Plan of Action on NHRIs and migration.

56. OHCHR supports human rights mechanisms, including those specifically dealing with the human rights of migrants, the Committee on Migrant Workers and the Special Rapporteur on the human rights of migrants. In July 2006, the Committee issued its contribution to the High-Level Dialogue on Migration and Development[1] based on the day of general discussion held on 15 December 2005. On 28 April 2006, the Committee adopted concluding observations on the initial report of Mali.[2] They are the first concluding observations on a State-party's report submitted under article 73 of the Convention on Migrant Workers.

57. The escalating dimension of human trafficking globally, its growing complexity including its connections with migration and transnational organized crime, are the focus of OHCHR Trafficking Programme. Prevention of trafficking involves identifying the linkages with development issues, including the rule of law, irregular migration, forced labour, and gender discrimination. Protection to victims of trafficking entails strengthening legal and policy initiatives, including shelters, skills training and reintegration schemes that provide assistance to and protect the victims of trafficking. By coordinating the Intergovernmental (IGO) Contact Group on Human Trafficking and Migrant Smuggling — which includes as members UNHCR, ILO, the International Organization for Migration, the United Nations Children's Fund, WHO and the NGO Caucus — OHCHR has continued to support effective human rights-based advocacy on the issue of trafficking within the United Nations system and in cooperation with civil society organizations.

F. Rule of law and democracy

58. My Office has responded to the demands for policy guidance, advisory services, methodology and expertise in the area of transitional justice and rule of law. OHCHR Rule of Law Tools for Post-Conflict States were published, outlining the basic principles involved in mapping the justice sector, prosecution initiatives, truth commissions, vetting, and monitoring legal systems. OHCHR further initiated development of additional two policy tools on the legacy of hybrid courts, and on reparations programmes. OHCHR has been also collaborating with DPKO in the development of a performance measurement system for the justice sector in post-

conflict States. In March 2006, my Office took part in the negotiations in Bujumbura between the United Nations and the Government of Burundi on the establishment and operation of a Truth and Reconciliation Commission and a Special Tribunal in Burundi as provided for in Security Council resolution 1606 (2005).

59. OHCHR has continued to examine the question of the protection of human rights and fundamental freedoms while countering terrorism and to make recommendations about the obligations of States in this regard, including through my annual reports to the General Assembly and the Commission on Human Rights. The Office supports the work of the Human Rights Council and its special procedures mandates, as well as the human rights treaty bodies and the Subcommission on the Promotion and Protection of Human Rights, in addressing a broad range of issues related to the impact of terrorism on human rights. OHCHR has worked with UNODC to deliver a specialized training programme for judges and prosecutors, and is developing a number of tools such as fact sheets on terrorism and human rights, and on the relationship between international humanitarian law and human rights law. The Office participated in a meeting organized by UNODC for West and Central African Governments in May 2006 on national legal frameworks for countering terrorism. OHCHR together with OSCE-ODIHR is organizing an expert workshop, which will aim to enhance understanding and awareness of human rights norms and standards in international cooperation in relation to counter-terrorism, in particular among security experts and legal advisers from relevant national ministries, law enforcement and the judiciary.

60. In my Plan of Action, I identified democratic deficits as a main challenge to human rights. OHCHR provides dedicated support to the United Nations Democracy Fund (UNDEF) established by the Secretary-General in July 2005. OHCHR plays an active role in the Programme Advisory Group advising on programme funding criteria and on project proposals. OHCHR also seconded one senior staff member to work in the UNDEF secretariat.

G. Human rights responsibilities of business

61. I am pleased to note that the United Nations Global Compact initiative has now been endorsed by all Heads of State and Government of the United Nations as well as by the General Assembly. Over the past year, OHCHR worked closely with the Global Compact Office and with members of the business community to enhance the understanding of human rights and to develop tools for companies committed to incorporate human rights into the core of their operations.

62. OHCHR also assisted the work of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises. The interim report of the Special Representative contained a persuasive analysis of the broad contextual factors framing the issue of human rights and business.

Chapter IV

Establishment of the Human Rights Council, Universal Periodic Review and review of mandates and mechanisms

63. Following the decision to establish a Human Rights Council, my Office played a central role in ensuring the smooth transition from the Commission on Human Rights to the Human Rights Council and provided substantive and technical support to the Council at its inaugural session held from 19 to 30 June 2006, as well as its first two special sessions on the situation of human rights in the Palestinian and other occupied Arab territories (5-6 July 2006) and in Lebanon (11 August 2006).

64. The Council has quickly acted in accordance with the mandate entrusted to it by the Assembly — that of promoting universal respect for the protection of all human rights and fundamental freedoms — with such notable achievements as the adoption of the Convention for the Protection of All Persons from Enforced Disappearance and the United Nations Declaration on the Rights of Indigenous Peoples.

65. The Council has also taken initial, yet critical, steps towards addressing the many complex procedural issues that accompany the establishment of a new and strengthened intergovernmental human rights body: the development of a programme of work for the first year; the extension for one year of all mandates, mechanisms, functions and responsibilities of the former Commission on Human Rights to prevent any gap in human rights protection during this transitional period; and the establishment of two intersessional open-ended intergovernmental working groups to review all such mandates and mechanisms above and to develop the modalities of the universal periodic review (UPR).

66. OHCHR will support the work of those two intergovernmental working groups, including through preparing background information on the functioning of the mandates and mechanisms of the former Commission, and on existing review mechanisms in other international or regional organizations for UPR. It is also compiling the contributions of all stakeholders as an input to both working groups.

67. In relation to the review of mandates and mechanisms, it should be noted that special procedures constitute an essential element of the United Nations efforts to protect and promote human rights, as well as a unique mechanism to monitor the human rights situation worldwide. The foundation of this system is the independence and expertise of special procedures mandate-holders. Another unique feature of the special procedures system is the direct accessibility of mandate-holders, as supported by OHCHR, including through the communications mechanism. Mandate-holders are also frequently and directly in contact with Governments and other stakeholders. A number of violations faced by individuals have been successfully addressed and remedies initiated accordingly.

68. Notwithstanding the achievements of the special-procedures system, various stakeholders, including the OHCHR, have identified ways to strengthen it. It is expected that the limitation of the terms of tenure of mandate-holders to a maximum of six years would continue, as this was a major step taken to reinforce independence. My Office can maintain and regularly update a roster of suitable and experienced experts who possess the relevant expertise. It could also constitute an advisory panel chaired by me and composed of experts from all regions which

would establish a shortlist of candidates for submission to the Chairperson of the Council.

69. The Human Rights Council will want to ensure, to the fullest extent possible, universal coverage of human rights issues while focusing on those human rights situations and countries that warrant special attention. Thematic mandates can broadly reflect the equal importance of civil and political, and economic, social and cultural rights and attempt to ensure that there is balanced geographic coverage. At the same time, there is a need to help identify potential gaps in protection, for example in relation to specific groups of persons, or specific countries that face major challenges. In order to support this universal coverage and close any protection gap, the Human Rights Council could encourage States to increase their cooperation, and to regularly extend invitations, in particular standing invitations, to mandate-holders.

70. Confidence-building measures among special procedures and Governments and other stakeholders can lead to more comprehensive interactive dialogue, better sharing of information and views with stakeholders and the timely preparation of visits with the involvement of all concerned parties.

71. Further interaction among different mandate-holders could also be facilitated between different mandate-holders.

72. My Office has already supported measures that ensure maximum efficiency of the system. To facilitate internal communication and collaboration, mandate-holders established a Coordination Committee at their annual meeting in 2005. OHCHR developed communication tools for, and with, the mandate-holders, and created a centralized quick-response desk for communications with Member States. Mandate-holders are also in the process of revising their Manual, which includes guidelines and agreed methods of work and OHCHR is coordinating a public consultation process in this regard. My Office has also enhanced its website, including on good practices and positive developments.

73. I share the view of many States that, in addition to the outcome of the review of mandates and mechanisms, the ultimate test for the Council will be the establishment of the UPR mechanism by which all States will be subject to a periodic review of the fulfilment of their human rights obligations and commitments. The international community has high expectations of UPR, including that it will redress the selectivity and over-politicization, particularly in the consideration of human rights situations in countries, which had plagued the former Commission. Whether this will be the case depends very much on whether two critical elements, universality of coverage and the equal treatment of all Member States, are guaranteed and fully integrated into the new mechanism from the outset.

74. Much thought has already been devoted to the possible modalities and process of UPR and efforts in this area will intensify over the next few months. A range of options have already been presented on such issues as periodicity of review, sources of information for review, process, mechanism and actors to conduct the review, as well as outcomes and follow-up. All the options and formulas on the table have their merits and present a number of challenges. Whatever modalities are developed for UPR, the process that will be agreed upon in the end should be inclusive, results-

oriented, well-structured, manageable and transparent. In this regard, several key elements should be emphasized.

75. The willingness of countries under review to open themselves to genuine scrutiny which, in turn, might prompt remedial action, is crucial for the success and effectiveness of UPR. Countries should be assessed on the basis of human rights instruments to which they are parties and other obligations, as well as the 2005 Summit Outcome Document and States' voluntary pledges and commitments to the Council, if any. The result should both yield a full picture of a country's human rights situation, and help to identify gaps that may require concerted action to improve protection capacity.

76. Further, while UPR should be made an integral component of the United Nations human rights system, it is important to maximize resources and methods so as to attain synergy and complementarity, rather than overlap and duplication, with other human rights mechanisms, in particular the special procedures and treaty bodies. Collectively, the interaction and combined outcomes of these three sets of protection mechanisms are designed to help — and when necessary to persuade — States to fulfil their human rights obligations and responsibilities, and to offer a comprehensive understanding of country situations.

77. The Council should benefit from the reports and findings of the special procedures, including with respect to responses to urgent situations. The periodicity of Council sessions should allow for the development of new modalities for enhanced interaction with special procedures. For this purpose consideration might be given to the establishment of a special segment devoted to the discussion of key concerns with mandate-holders at each of the sessions envisaged by the Council throughout the year. Special procedures could, directly or through their Coordination Committee, also contribute through prioritizing countries pending UPR in their plan of work; or through considering to issue an update for those countries already visited, which are being reviewed. Not only could UPR make use of their findings, conclusions and recommendations, but mandate-holders could be involved in its deliberations. The discussions and outcome of UPR could provide an incentive for States to follow up on recommendations by special procedures.

78. UPR should not undermine or make less effective the reporting procedures of the seven human rights treaty bodies. States should not reduce cooperation with the treaty-based procedures when they are under review through UPR. It should not become a means to challenge the decisions and recommendations of the treaty bodies, but should place emphasis on the follow-up to such decisions and recommendations. To the extent that countries appear before the Council on a regular basis, the follow-up procedures of the treaty bodies could be significantly strengthened. Thus, a Council recommendation requesting a State to implement a particular treaty body recommendation with immediate effect would contribute to reinforcing the efficacy of the treaty-based mechanisms.

79. I remain confident that the UPR mechanism will develop into a significant, constructive and highly visible activity of the Council.

Chapter V

Treaty body reform

89. In my Plan of Action, I indicated that I would develop proposals for a unified standing treaty body and invite all States parties to the seven principal human rights treaties to consider holding an intergovernmental meeting.

81. My proposal is based on the premise that, in spite of its achievements, the system currently faces serious challenges. Some are linked to its success, and stem from the increase in human rights instruments and the increasing number of States assuming new legal obligations. New bodies to monitor the draft treaties on disappearances and disability as well as the Subcommittee on Prevention established under the Optional Protocol to the Convention against Torture, which entered into force on 22 June 2006, were recently created. Many States accept the treaty body system on a purely formal level, but do not engage with it, or do so in a superficial way, either because of insufficient resources or absence of political will. Many States parties consider that the reporting procedures of the treaty bodies are overly burdensome and duplicative, and many reports remain overdue. I consider a unified standing treaty body to be a solution, which could address these challenges.

82. OHCHR has convened, or participated in, a number of consultations on the proposal for a unified standing body. In March 2006, I circulated a concept paper on the proposal to all stakeholders, and solicited feedback. The Fifth Inter-Committee Meeting and the Eighteenth Meeting of Chairpersons of treaty bodies discussed the concept paper in some depth. Further discussion on the concept paper and other possible solutions to achieve a more unified treaty body system took place at an informal brainstorming meeting convened in Liechtenstein from 14 to 16 July 2006.

83. The concept paper will be complemented by several option papers. An informal paper detailing the legal options for, and obstacles to, a unified standing body was prepared with inputs from the Office of Legal Affairs. The legal options paper was discussed in Liechtenstein in a preliminary way.

84. Some treaty body members welcomed my proposal; others have opposed it, mostly on the basis that a unified standing body could undermine the specificity of the seven major human rights instruments. A similar division of opinion on my proposal exists among States and in the NGO community.

85. A proposal for the creation of a single body for consideration of individual complaints only, put forward by the Committee on the Elimination of Racial Discrimination has attracted some support, while most reform options essentially focus on the harmonization of working methods.

86. While it is premature to draw definitive conclusions, it appears that the proposal for a unified standing treaty body that would unify both reporting and complaints procedures may not be achievable in the short term.

87. In the meantime, OHCHR has continued to support harmonization of the reporting guidelines of all treaty bodies, with a view to rationalizing reporting for States parties. A working group composed of one member of each of the seven treaty bodies met in December 2005 and February 2006 to finalize the harmonized reporting guidelines. The Fifth Inter-Committee Meeting considered the revised draft guidelines for a Common Core Document and targeted treaty-specific reports and recommended that all treaty bodies apply the guidelines in a flexible way,

review their own respective guidelines for initial and for periodic reports, and signal indications of any difficulties with their implementation. The experience of each treaty body with the implementation of the Consolidated Guidelines will be reviewed by the Seventh Inter-Committee Meeting in 2008.

88. Several States parties have indicated their interest in training on the Common Core Document and to date OHCHR has conducted courses in Angola, Nicaragua and Panama.

Chapter VI
Country engagement

89. The period under review marks a landmark in the development of the capacity of the United Nations to protect and promote all human rights for all. The establishment of the Human Rights Council has given practical expression to the Charter's recognition of human rights as an equal aspect of the Organization's functions and responsibilities, alongside security and development. The establishment of the Council raises numerous implications for the conduct of its future work, its methodology and ultimately its results. The period of transition poses particular challenges in ensuring that the successes of past experience are retained and strengthened, and that the failings of the past do not weaken the new and upgraded architecture of protection and promotion of human rights.

90. My Office is closely involved in these issues and the reform and review processes emerging from them, drawing on the full range of its experience in the areas of country engagement, thematic expertise and servicing of the special procedures and human rights treaty bodies.

91. The period under review has highlighted a variety of country-specific concerns, where OHCHR's engagement with Governments and civil society has provided appropriate support and assistance to States seeking to enhance the protection and promotion of human rights enjoyed by persons in those countries. OHCHR has continued to strengthen its capacities in a variety of areas posing particularly stark human rights challenges in the contemporary world.

92. Finally, the very welcome recent additions to the catalogue of international human rights instruments require OHCHR to play its part in making the rights recognized therein a reality.

93. In this report I have sought to inform members of the General Assembly of the progress made over the last year in implementing my Plan of Action and the OHCHR Strategic Management Plan. I urge members of the Assembly to join in our efforts over the coming years to enable a stronger and better equipped Office, able to meet the human rights needs of States, institutional partners and civil society, but first and foremost those of the rights-holders, in particular victims of human rights violations everywhere.

Notes

[1] A/61/120.

[2] CMW/C/MLI/CO/1.

06-53220 (E) 051006